

Order

Michigan Supreme Court
Lansing, Michigan

December 15, 2005

Clifford W. Taylor,
Chief Justice

129955 & (18)(19)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

BEVERLY GALLIHER,
Plaintiff-Appellee,

v

SC: 129955
COA: 263612
Oakland CC: 04-061389-NO

TRINITY HEALTH-MICHIGAN,
Defendant-Appellant.

On order of the Court, the motion for immediate consideration is GRANTED. The application for leave to appeal the October 14, 2005 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted. The motion to stay trial court proceedings is also considered, and it is GRANTED. On motion of a party or on its own motion, the Court of Appeals may modify, set aside, or place conditions on the stay if it appears that the appeal is not being vigorously prosecuted or if other appropriate grounds appear.

KELLY, J., would deny leave to appeal.



t1208

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 15, 2005

Corbin R. Davis

Clerk